

State of New Mexico
County of Santa Fe
First Judicial District Court

Cause No. D-0101-PB-2020-00204

IN THE MATTER OF THE ESTATE OF FORREST BURKE FENN

MOTION FOR WITHDRAWAL OF
POTENTIAL CLAIM WITHOUT PREJUDICE AND OFFER TO TESTIFY
IN CAMERA AS TO THE SOLVE OF FORREST FENN'S PUZZLE

Now comes Barbara Andersen and hereby moves to withdraw without prejudice her notice of potential claim herein. In support of her motion, Andersen states as follows:

1. Andersen is a real estate litigation attorney, inactive status, from Illinois. Andersen recently moved here to Santa Fe after years of working on and, upon information and belief, solving the Forrest Fenn puzzle.
2. In 2018, Andersen found the general location of the final clue. After that, she worked on resolving the balance of the puzzle. In the fall of 2019, Andersen finally found the "special spot".
3. Andersen made multiple trips over the years. Andersen also spent countless hours in resolving the puzzle. Andersen moved to Santa Fe due to the puzzle in May 2021.
4. In June 2020, it was announced that the treasure was found. Reaching no informal resolution as to how this could be the case, Andersen filed a lawsuit in federal court to determine details relative to same given (a) no one was with her for the years in her searching; (b) no one was near her in June 2020 in the final area when the purported "find" was announced; and (c) Andersen had been pranked immediately prior to the announcement by someone who knew details

Ex A

Filed 7/7/21

relative to her solve (such that Andersen believed that her electronic devices must have been hacked).

5. Pranking and sleight of hand is also how one solves the Fenn puzzle. Andersen is discussing same on her YouTube channel and going through the book to discuss the various mistakes, etc. to show (at least on the first level) how to go about solving the puzzle. The first video can be found under “Barbara Andersen”; the first video can be found at <https://www.youtube.com/watch?v=K6NvGQyhBIw>.

6. Andersen also filed a claim herein given she was unclear what was going on and why her communications were being avoided by counsel for the personal representative of the Estate (Karl Sommer).

7. In the federal action, it was unearthed that a spoof writer “found” the treasure in Wyoming; this person later stated that all of the clues were in the State of Wyoming...which is patently fallacious given the true solve. Between that and the post-find press releases, it became clear that the find announcement like the book was full of sleight of hand/pranking. In the post-find press releases (like the book), the Estate was denying Andersen as the solver but subtly teasing her with various jokes from over the years and facts relative to her personal life. (One of the jokes relates to the fact that Andersen was the subject of fallacious criminal prosecution brought on by her ex-husband as a custody ploy.) There are/were many jokes in the various Fenn publications that tease Andersen about same: i.e. invoking the phrase “beyond a reasonable doubt”, a searcher wearing an “orange jumpsuit”, a picture of a person wearing an ankle bracelet, etc. that stem from that case. When Andersen saw that she was still being teased post-find, she asked the federal court if she could dismiss her case without prejudice because she believed that she was simply being pranked by someone in the employment of Forrest Fenn. The federal court granted Andersen’s

request to voluntarily dismiss without prejudice last winter. Andersen did and does hope that something fun is forthcoming relative to her solve. At this point, Andersen is simply waiting and going through the book on YouTube (without disclosing the clue answers, puzzle resolution, key word etc.).

8. Andersen also filed a notice of potential claim herein given that she had no idea what was going on at the time of filing same. In light of the above, Andersen asks that she be given leave to withdraw her claim against the Estate without prejudice.

9. The solve is clearly in New Mexico. The solve is clearly not in Colorado or elsewhere. Further, the solve is clearly not south of Santa Fe¹. (One of Forrest's hints clearly ruled out south of Santa Fe. Thus, it is unclear as to why certain claimants herein have filed suit against anyone let alone the Estate.) Andersen will be happy to explain the solve and show this Court pictures *in camera* if desired given that there are now other claimants. Andersen would also be happy to bring this Court to that location as part of any *in camera* testimony.

10. It appears that the reason for the recent suits is (a) an e-mail suggesting that the treasure may have been retrieved and (b) a reckless layperson YouTuber (Greg Thompson/"Treasure Seekers" YouTube channel) is encouraging other laypersons to frivolously attack² the Estate and otherwise. There is no merit to any other claim. The clues, key word and puzzle resolution all lead to Andersen's specific area in New Mexico.

¹ Andersen is unclear as to why purported claimants Sandau/Doty/Kaiser made no effort to contact her prior to filing suit and/or why they disregarded Andersen's highly publicized case and pleadings before filing suit. Likewise, it is baffling for them to have filed suit under Rule 11 by claiming that their solve location is south of Santa Fe when Forrest Fenn clearly advised to the contrary in his press releases. <http://www.northofsantafe.com/> (see Quote at bottom; this hint was also widely published on other websites throughout the "Chase").

² Greg Thompson also went through Andersen's divorce file and published same on YouTube; he also regularly harasses Andersen on YouTube with insipid posts and calling Andersen a "liar" and "thief". He removed the video relative to Andersen's divorce file only upon

11. Andersen would withdraw her claim with prejudice given the above. However, given that she is still in the dark as to the ending, Andersen requests that she be given leave to withdraw her claim without prejudice with the right to reinstate if necessary.

12. Andersen has learned of the upcoming status relative to her and other claimants. Andersen will attend if she does not receive an order prior to same.

13. Andersen can be reached by e-mail (barbandersen323@yahoo.com). Andersen can also provide her phone number to this Court. However, because of harassment by the above YouTuber (and others), Andersen is attempting to keep her new Santa Fe phone number largely private. Andersen can also privately provide this Court with her home address if desired; the below address is a mailbox at a UPS store.

Wherefore, Andersen asks this Court to (a) withdraw her claim against the Estate without prejudice and (b) to offer *in camera* testimony as to the solve relative to the Forrest Fenn puzzle so as to assist this Court relative to the other claimants and/or future claimants if desired.

Respectfully submitted
/s/ Barbara Andersen
Barbara Andersen
3201 Zafarano, Suite C
Box 259
Santa Fe, NM 87507

threat of suit for intentional infliction of emotional distress. Greg Thompson also appears to be inciting violence in another YouTuber. Andersen has observed this person making death threats to the Fenn family on YouTube. At this point in time, Andersen has written twice to the YouTube legal department relative to Greg Thompson and his YouTube channel/cyberbullying.

CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2021, I filed and served the above Motion with the First District Court and caused the above to be served via U.S. Mail, postage pre-paid, upon the following:

Brian Erskine
1338 Sabatina Street
Prescott, Arizona, 86301-7402

John Hickey
April, Dolan & Hickey PC
460 St. Michael Drive, Suite 1000
Santa Fe, NM 87505

Karl Sommer
Sommer Karnes & Associates LLP
125 Lincoln Ave., Suite 221
Santa Fe, NM 87501

Kyle Sandau
3518 Fremont Ave. N #537
Seattle, Washington 98103

Mark Doty
1101 E. Cherry Street, #220
Vermillion, South Dakota 57069

Rebecca Kaiser
3013 Broadway Ave. Ste 8, #148
Yankton, South Dakota, 57078

Bruno Raphoz
4, av Mireio -A
F-06L00 Nice France

Respectfully submitted
/s/ Barbara Andersen
Barbara Andersen
3201 Zafarano, Suite C
Box 259
Santa Fe, NM 87507